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COMMONWEALTH OF VIRGINIA

STATE CORPORATION COMMISSION

AT RICHMOND, JULY 18, 2000

APPLICATION OF

WASHINGTON GAS LIGHT COMPANY

CASE NO. PUE000353

For approval of special
rates and contract

ORDER FOR NOTICE AND HEARING

On July 6, 2000, Washington Gas Light Company ("Washington Gas" or "Company") filed its "Application of Washington Gas Light Company for Approval of Special Rate and Contract Pursuant to Virginia Code § 56-235.2" (hereinafter "Application"). The Company seeks approval of a "Service Agreement for Delivery Service" dated March 28, 2000, with Johns Manville International, Inc. Washington Gas would provide natural gas delivery and balancing services to Johns Manville's board manufacturing plant in Shenandoah County under the rates and terms negotiated in the agreement for a term of five years. (Application at 1, 4-5.)

Washington Gas currently provides interruptible delivery service and balancing service to Johns Manville under its Rate Schedule No. 7. (Id. at 2, 3.) The Company now seeks Commission approval of a special rate and contract for an individual customer, Johns-Manville, as provided by § 56-235.2 A

of the Code of Virginia. As required by the Commission's Guidelines for Filing an Application to Provide Electric and Gas Service under a Special Rate, Contract or Incentive, 20 VAC 5-310-10 (hereinafter "Guidelines"), Washington Gas filed as Attachment 3 to the Application information required to support the special rates contained in the Service Agreement dated March 28, 2000.

As provided by Guideline 2, Washington Gas clearly marked portions of its Application as confidential information, which shall be withheld from public disclosure unless disclosure is ordered by the Commission. Copies of its Application redacted to exclude the confidential information will be placed in the public file maintained by the Document Control Center, Office of the Clerk of the State Corporation Commission pending further order. Washington Gas also filed with its Application a motion for a protective order.

Upon review of the Application, it appears that Washington Gas has complied with the Guidelines and that this matter should be docketed for hearing after notice to all affected parties. We shall refer this matter to a hearing examiner who will conduct all further aspects of this proceeding, including disposition of the motion for a protective order. The Commission will also direct its Staff to investigate the

Application and to file testimony and exhibits of the results of this investigation.

The General Assembly has directed that notice of an application for approval of a special rate or contract be given, in the words of § 56-235.2 A of the Code of Virginia, to "all affected parties". As we determined in our Order for Notice and Hearing of January 13, 2000, in Columbia Gas of Virginia, Inc., Case No. PUE990781 (Document Control No. 000110305, filed January 13, 2000), a combination of newspaper publication and direct service are required to implement the statutory directive. The Company's Application and attachments do not identify affected classes of customers, and it appears that the special rates and contract could effect all customers. In particular, the special rates and contract might have an impact on the Company's large delivery service customers. Accordingly, the Commission will direct the general public notice ordered below.

ACCORDINGLY, IT IS ORDERED THAT:

(1) This Application be docketed, be assigned Case No. PUE000353, and that all associated papers be filed therein.

(2) A public hearing be held on this Application beginning at 10:00 a.m. on October 31, 2000, in the Commission's Courtroom, Second Floor, Tyler Building, 1300 East Main Street, Richmond, Virginia.

(3) As provided by § 12.1-31 of the Code of Virginia and Rule 7:1 of the Commission's Rules of Practice and Procedure ("the Rules"),¹ 5 VAC 5-10-250, a Hearing Examiner be assigned to consider and rule on the Motion for Protective Order, to conduct further proceedings on behalf of the Commission, and to file a final report with a transcript of this proceeding.

(4) On or before August 14, 2000, Washington Gas shall file with the Clerk of the Commission, c/o Document Control Center, P.O. Box 2118, Richmond, Virginia 23218-2118, an original and fifteen (15) copies of any additional direct testimony and exhibits that it intends to present in support of the Application.

(5) Copies of the Application and accompanying documents redacted to exclude confidential information shall be available for inspection in the Commission's Document Control Center located on the first floor of the Tyler Building, 1300 East Main Street, Richmond, Virginia, between the hours of 8:15 a.m. and 5:00 p.m. on Commission business days.

(6) Washington Gas shall provide copies of the redacted version of application at reasonable cost upon request to its counsel, Donald R. Hayes, Senior Attorney, Washington Gas Light Company, 1100 H Street, N.W., Washington, D.C. 20080.

¹ A copy of the Commission's Rules of Practice and Procedure may be obtained from the Clerk, State Corporation Commission, P.O. Box 1197, Richmond, Virginia 23218-1197. The Rules may be also found on the Commission's Website at <http://dit1.state.va.us/scc/rules/rulestoc.htm>.

(7) On or before September 5, 2000, any person desiring to participate in this proceeding as a protestant, as defined in Rule 4:6 of the Rules, 5 VAC 5-10-180, shall file an original and fifteen (15) copies of a notice of protest, as required by Rule 5:16(a) of the Rules, 5 VAC 5-10-420 A, with the Clerk and shall simultaneously serve a copy on counsel to Washington Gas identified in (6) above. Any corporate entity that wishes to submit evidence, cross-examine witnesses, or otherwise participate as a protestant must be represented by legal counsel in accordance with the requirements of Rule 4:8, 5 VAC 5-10-200.

(8) Within 5 days of receipt, Washington Gas shall serve upon each person filing a notice a copy of all unredacted materials now or hereafter filed with the Commission.

(9) On or before September 26, 2000, each protestant shall file with the Clerk an original and fifteen (15) copies of its protest, as required by Rule 5:16(b), 5 VAC 5-10-420 B, and an original and fifteen (15) copies of the testimony and exhibits that it intends to offer in support of its protest and shall simultaneously serve one (1) copy of the protest, testimony, and exhibits on counsel to Washington Gas identified in (6) above and on all other parties. The protest shall set forth (i) a precise statement of the interest of the protestant in the proceeding; (ii) a full and clear statement of the facts which the protestant is prepared to prove by competent evidence; and

(iii) a statement of the specific relief sought and the legal basis therefor.

(10) The Commission Staff shall investigate the Application and, on or before October 10, 2000, shall file with the Clerk an original and fifteen (15) copies of the testimony and exhibits that it intends to offer and shall serve one (1) copy on all parties.

(11) On or before October 17, 2000, Washington Gas may file with the Clerk an original and fifteen (15) copies of any rebuttal testimony and exhibits that it intends to offer in response to testimony and exhibits previously filed and shall simultaneously serve one (1) copy on all other parties.

(12) Rule 6:4, Interrogatories to Parties or Requests for Production of Documents and Things, 5 VAC 5-10-480, shall be modified for this proceeding as follows: (i) answers and objections shall be served within eight (8) calendar days after receipt by mail or any other means; (ii) special motions upon the validity of any objections shall be filed within four (4) business days of receipt of the objection; (iii) answers, objections, and special motions shall be served by 3:00 p.m. on the due date, unless the Staff or party upon whom service must be made agrees in advance to other arrangements.

(13) On or before August 14, 2000, Washington Gas shall complete publication of the following notice as display

advertising (not classified), once a week for two consecutive weeks, in newspapers of general circulation throughout its service territory:

APPLICATION OF WASHINGTON GAS LIGHT COMPANY,
FOR APPROVAL OF A SPECIAL RATE AND CONTRACT
CASE NO. PUE000353

On July 6, 2000, Washington Gas Light Company ("Washington Gas" or "Company") filed for approval of special rates and a contract pursuant to Virginia Code § 56-235.2 of the Code of Virginia. The Company seeks approval of an agreement with Johns Manville, International, Inc. for delivery of natural gas and balancing services at Johns Manville's facility in Shenandoah County. According to the application, absent the special rate, Johns Manville will construct pipeline facilities. The Company's firm customers will benefit from the retention of Johns Manville as a customer.

Section 56-235.2 of the Code of Virginia was amended by the 1996 General Assembly to permit utilities to request special rates, contracts, or incentives for particular customers or classes of customers. Section 56-235.2 D, as amended, includes a subsection that requires the Commission to issue guidelines for special rates, contracts, or incentives that will ensure that other customers are not caused to bear increased rates as a result of such special rates.

A public hearing on the Application shall be convened before a hearing Examiner on October 31, 2000, at 10:00 a.m., in the Commission's second floor courtroom located in the Tyler Building, 1300 East Main Street, Richmond, Virginia.

Copies of the redacted version of the Washington Gas' Application and supporting

documents are available for public inspection in the Commission's Document Control Center located on the first floor of the Tyler Building, 1300 East Main Street, Richmond, Virginia, between the hours of 8:15 a.m. and 5:00 p.m. on Commission business days. Copies of the redacted versions and supporting documents can be ordered from Washington Gas' counsel, Donald R. Hayes, Senior Attorney, Washington Gas Light Company, 1100 H Street, N.W., Washington, D.C. 20080.

Any person desiring to comment in writing on the Application may do so by directing such comments to the Clerk of the Commission at the address set out below. For maximum consideration, comments should be received by September 26, 2000. Any person desiring to make a statement at the public hearing concerning the Application need only appear in the Commission's second floor courtroom at 9:45 a.m. on the day of the hearing and identify himself or herself as a public witness to the Commission's Bailiff.

Any person who expects to submit evidence, cross-examine witnesses, or otherwise participate pursuant to Rule 4:6 of the Commission's Rules of Practice and Procedure should promptly obtain a copy of the Order for Notice and Hearing entered herein from the Clerk of the Commission for complete details of the procedural schedule and instructions on participation in this case.

Individuals with disabilities who require an accommodation to participate in the hearing should contact the Commission at least seven (7) days before the scheduled hearing date at 1-800-552-7945 (voice) or 1-804-371-9206 (TDD).

All written communications to the Commission concerning the Application should be directed to the Clerk of the State

Corporation Commission, c/o Document Control
Center, P.O. Box 2118, Richmond, Virginia
23218-2118, and must refer to Case No.
PUE000353

WASHINGTON GAS LIGHT COMPANY

(14) On or before August 14, 2000, Washington Gas shall serve a copy of this Order for Notice and Hearing upon the Company's customers served under Rate Schedule No. 7 at the customary place of business or residence of the person served. Service shall be made by first-class mail or hand-delivery.

(15) On or before August 14, 2000, Washington Gas shall serve a copy of this Order for Notice and Hearing upon the Chairman of the Board of Supervisors of Shenandoah County. Service shall be made by first-class mail or hand-delivery to the customary place of business or residence of the person served.

(16) On or before September 6, 2000, Washington Gas shall file with the Clerk of proof of the newspaper publication directed in Ordering Paragraph (13) above and a certificate of service of copies of the order as directed in Ordering Paragraphs (14) and (15) above, including the names and addresses of the persons served.